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Four Defendants Sentenced to Prison in Federal Online Piracy Crackdown

Defendants Receive Prison Terms Between 8 and 18 Months

WASHINGTON - David Chen Pui, 27, of Fountain Valley, Calif., and David Lee Pruett, 35, of Auburn, Washington, were sentenced to prison terms of 12 and 18 months, respectively, Assistant Attorney General Alice S. Fisher of the Justice Department's Criminal Division and U.S. Attorney Gretchen C.F. Shappert of the Western District of North Carolina announced today. Pui and Pruett were sentenced for their involvement with online software piracy. They were prosecuted as a result of the Charlotte, N. C., component of Operation FastLink.

Pui and Pruett each pled guilty to a single felony count of conspiracy to commit copyright infringement, Pui for distributing pirated works from his own and other Internet sites, and Pruett for his involvement in the software release group "Legenda Never Die" or "LND." On June 27, United States District Court Judge Graham Mullen sentenced Pui to 12 months imprisonment, and today Mullen sentenced Pruett to 18 months imprisonment. The sentencing of Pui and Pruett follow the recent sentencing of Franklin Edward Littel and Shawn Laemmrich in United States District Courts in Indianapolis and Marquette, Mich., respectively. The four defendants were investigated and charged as part of the same FBI undercover operation headquartered in Charlotte. Both Little and Laemmrich were sentenced to eight months in prison to be followed by eight months of home confinement.

These are the first federal criminal sentences for members of the so-called "warez scene" from the Charlotte component of Operation FastLink, an ongoing federal crackdown against the organized piracy groups responsible for most of the initial illegal distribution of copyrighted movies, software, games and music on the Internet. Operation FastLink has resulted, to date, in more than 120 search warrants executed in 12 countries; the confiscation of hundreds of computers and illegal online distribution hubs; and the removal of more than \$50 million worth of illegally-copied copyrighted software, games, movies and music from illicit distribution channels.

"Software piracy is no small matter. It robs the rightful owners of the value of their property," said Shappert. "Software piracy is cyber-theft, and the prison sentences given in this case underscore the serious consequences of this crime."

These four defendants were members of or affiliated with software release groups. Three of these individuals were active members of warez groups that acted as "first-providers" of copyrighted works to the Internet – the so-called "release" groups that are the original sources for a majority of the pirated works distributed and downloaded via the Internet. Once a group prepared a stolen work for distribution, the material was distributed in minutes to secure computer servers throughout the world. From there, within a matter of hours, the pirated works are distributed globally, filtering down to peer-to-peer and other public file sharing networks accessible to anyone with Internet access. The fourth defendant, Pui, operated his own distribution server.

Operation FastLink was the culmination of multiple FBI undercover investigations across the country. To date, 31 defendants have been convicted of felony copyright infringement offenses as a result of the Department of Justice anti-piracy initiative.

This case was prosecuted by Corbin Weiss and Eric Klumb, Senior Counsels of the Computer Crime and Intellectual Property Section, Criminal Division and Assistant U.S. Attorney Corey Ellis in the Western District of North Carolina.

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